

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

AXION POWER INTERNATIONAL, INC.,
WILLIAM AND TRACY AHEARN, H/W, SALLY
FONNER AND JAMES SMITH, M.D.,

Plaintiffs,

-against-

MERCATUS & PARTNERS, LTD., MF
GLOBAL, INC., MF GLOBAL, UK, Ltd., CARI
MASI a/k/a/ CARI MASI, BNP PARIBAS
SECURITIES SERVICES, BANCA MB S.P.A.,
DWIGHT PARSCALE, STEPHANO CEVOLO,
CONTINENTAL STOCK TRANSFER ACCOUNT
AND TRUST COMPANY, PENSON FINANCIAL
SERVICES, INC., AND BROWN BROTHERS
HARRIMAN & CO.,

Defendants.

07 CV 11493

STIPULATION OF DISMISSAL AS
AGAINST DEFENDANTS MF
GLOBAL, INC AND MF GLOBAL,
UK, LTD.

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IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the plaintiffs and for defendants MF Global, Inc and MF Global, UK, Ltd. (the "MFG Defendants"), that this action is dismissed as against the MFG Defendants, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.

Dated: March 24, 2008

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MF Global, Inc and MF Global, UK, Ltd.

Soozdered
Dated 3.25.08

So Ordered:

U.S.D.J.